

MESSAGE NO: 3275206 MESSAGE DATE: 10/02/2003

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-427-212, A-428-212, A-475-212,
A-533-212, A-557-212, A-580-812

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/1997 TO 04/30/1998

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION FOR DRAMS FROM KOREA(A580-812) AND EXPORTED FROM FRANCE (A427-212), GERMANY (A-428-212), ITALY (A-4 75-212), INDIA (A-533-212), AND MALAYSIA (A-557-212)

MESSAGE NO: 3275206

DATE: 10 02 2003

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 580 - 812

A - 427 - 212

A - 428 - 212

A - 475 - 212

A - 533 - 212

A - 557 - 212

PERIOD COVERED: 05 01 1997 TO 04 30 1998

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION FOR DRAMS FROM KOREA(A580-812) AND EXPORTED FROM FRANCE (A427-212), GERMANY (A-428-212), ITALY (A-4 75-212), INDIA (A-533-212), AND MALAYSIA (A-557-212)

1. THERE ARE COURT-ORDERED INJUNCTIONS ON DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS (DRAMS) FROM KOREA, PRODUCED BY HYUNDAI

ELECTRONICS INDUSTRIES CO., LTD. OR LG SEMICON CO., LTD., AND IMPORTED BY HYUNDAI ELECTRONICS AMERICA OR LG SEMICON AMERICA, INC., AND THESE ENTRIES SHOULD REMAIN UNLIQUIDATED (SEE MESSAGES NUMBERED 0103203 AND 0159205, DATED 04/12/2000 AND 06/07/2000

RESPECTIVELY). HOWEVER FOR ALL OTHER SHIPMENTS OF DRAMS FROM KOREA, EXPORTED FROM FRANCE, GERMANY, ITALY, INDIA, AND MALAYSIA, PRODUCED BY LG SEMICON CO. LTD., OR HYUNDAI ELECTRONICS INDUSTRIES CO., LTD., AND IMPORTED BY ENTITIES OTHER THAN LG SEMICON AMERICA, INC. OR HYUNDAI ELECTRONICS AMERICA, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD

05/01/1997 THROUGH 04/30/1998, ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT RATE IN EFFECT ON THE DATE OF ENTRY.

2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON

UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO

YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY BUREAU OF CUSTOMS AND BORDER PROTECTION OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES PLEASE CONTACT DAVINA HASHMI AT THE OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G2O4:RT).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THE INFORMATION CONTAINED IN THIS E-MAIL MESSAGE.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party